

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

GUILLERMO TRUJILLO CRUZ,

Plaintiff,

v.

A. ORTIZ,

Defendant.

Case No. [20-cv-00176-HSG](#)

**ORDER DENYING REQUEST FOR
APPOINTMENT FOR COUNSEL;
DENYING REQUEST FOR LEAVE TO
PROCEED IN FORMA PAUPERIS ON
APPEAL; GRANTING REQUEST FOR
COPY OF COMPLAINT**

Re: Dkt. Nos. 12, 13, 14

Plaintiff filed this *pro se* civil rights action pursuant to 42 U.S.C. § 1983. Dkt. No. 1. On March 9, 2020, the Court revoked plaintiff's *in forma pauperis* status pursuant to 28 U.S.C. § 1915(g) because, prior to the date that he filed this action, plaintiff had at least three cases dismissed as "strikes" within the meaning of 28 U.S.C. § 1915(g). Dkt. No. 6. The Court ordered plaintiff to pay the filing and administrative fees in full if he wished to proceed with the action. Dkt. No. 6. On April 29, 2020, the Court dismissed this action for failure to pay the filing and administrative fees and entered judgment in favor of defendants. Dkt. Nos. 7, 8. On May 18, 2020, plaintiff filed a notice of appeal with the Ninth Circuit Court of Appeals. Dkt. No. 9. Now pending before the Court are plaintiff's motions for appointment of counsel (Dkt. No. 12); to proceed *in forma pauperis* on appeal (Dkt. No. 13);¹ and for a copy of the complaint (Dkt. No. 14).

Plaintiff's motion requesting appointment of counsel is DENIED as moot. Dkt. No. 12. This case is closed. If plaintiff seeks counsel for his appellate proceedings, he should make that

¹ Plaintiff titles Dkt. No. 13 as "Motion to review order of docketing fees," but the Court construes this motion as a request to proceed *in forma pauperis* on appeal because it requests that he be allowed to pay the appellate court filing fees in installments. Dkt. No. 13.

request to the Ninth Circuit.


Plaintiff's request to proceed *in forma pauperis* on appeal is DENIED. Dkt. No. 13. The Court finds that the appeal is not taken in good faith. *See* 28 U.S.C. § 1915(a)(3); *Hooker v. American Airlines*, 302 F.3d 1091, 1092 (9th Cir. 2002).

Plaintiff's request for a copy of the complaint is GRANTED. Dkt. No. 14. The Court will provide plaintiff with a copy of the complaint under separate cover.

This order terminates Dkt. Nos. 12, 13, and 14.

IT IS SO ORDERED.

Dated: 6/22/2020


HAYWOOD S. GILLIAM, JR.
United States District Judge